

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

W.R. GRACE & CO., *et al.*,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)  
(Jointly Administered)

Ref. No. 21544

**LIBBY CLAIMANTS' NOTICE OF FILING TRANSCRIPT AND  
DEPOSITION EXCERPT DESIGNATIONS**

The claimants injured by exposure to asbestos from the Debtors' operations in Lincoln County, Montana (the "Libby Claimants"),<sup>1</sup> by and through their counsel, Cohn Whitesell & Goldberg LLP and Landis Rath & Cobb LLP, hereby designate the attached excerpts from the the following deposition and trial transcripts, together with any pertinent exhibits thereto, which may be offered in evidence in connection with the Phase II Confirmation Hearing in this matter, pursuant to Rule 32 of the Federal Rules of Civil Procedure:

Mary Ruth Albert: 11:25-12:15; 13:10-22; 14:9-17:1; 19:1-20:18; 21:20-22:3; 22:21-24; 23:8-24:24; 25:16-30:5; 31:17-32:14; 38:13-42:25; 46:19-50:18.  
*Albert v. W.R. Grace, et al.*, Cause No. DV-97-87. 8/26/99 (**Attached as Exhibit 1**).

Stuart Cannon: 26:11-27:10; 32:25-35:13; 63:3-15; 88:2-89:10; 99:3-101:16.  
*Cannon v. W.R. Grace, et al.*, Cause No. DV-96-11. 8/23/99 (**Attached as Exhibit 2**).

Edward Nick Carvey: 20:24-22:1; 23:14-28:1; 43:7-46:9; 49:21-50:3.  
*Carvey v. W.R. Grace, et al.*, Cause No. CV-98-142-M-DWM and CV-99-104-M-LBE. 12/15/99 (**Attached as Exhibit 3**).

Carl E. Craig: 37:12-19; 38:15-20; 40:6-21; 41:9-42:20; 45:20-49:4; 49:19-51:7; 52:1-53:16; 54:7-56:13; 58:18-59:14; 60:1-61:7; 67:6-16; 77:4-79:9; 91:2-92:2.  
*Craig v. W.R. Grace, et al.*, Cause No. 97-153. 08/24/99 (**Attached as Exhibit 4**).

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<sup>1</sup> As identified in the Amended and Restated Verified Statement of Cohn Whitesell & Goldberg LLP and Landis Rath & Cobb LLP Pursuant to Fed. R. Bankr. P. 2019 [D.I. 22784], as it may be amended and restated from time to time.

Carrie M. Dedrick: 16:7-25; 19:8-23; 24:14-25:25; 36:12-38:8; 44:16-45:1; 45:17-46:2; 46:14-16; 47:10-15; 57:19-22; 74:18-75:25; 78:3-20.

*Dedrick v. W.R. Grace, et al.*, Cause No. DV-99-124. 06/26/00 (**Attached as Exhibit 5**).

Kenneth Finstad: 17:11-21:21; 50:1-52:13; 54:13-56:6; & 92:23-94:24.

*Finstad v. W.R. Grace et al*, Cause No. DV-98-139, 3/22/99 (**Attached as Exhibit 6**).

Daniel Garrison, Sr.: 5:17-8:21; 10:3-15:1; 109:21-110:2; 111:5-114:18; 116:9-20.

*Garrison v. W.R. Grace, et al.*, Cause No. DV-98-132. 02/28/00 (**Attached as Exhibit 7**).

Edward A. Gaston: 6:9-8:21; 19:16-18; 24:12-14; 24:22-26:2; 27:6-20; 28:7-14; 29:24-31:3; 31:14-32:22; 33:5-21; 34:6-12; 37:5-38:21; 44:3-45:17; 58:16-60:1.

*Gaston v. W.R. Grace, et al.*, Cause No. DV-98-142. 03/22/99 (**Attached as Exhibit 8**).

Robert L. Graham: 8:14-17; 69:24-72:8; 10:17-11:1; 13:3-14:18.

*Graham v. W.R. Grace, et al.*, Cause No. DV-97-50. 09/05/97 (**Attached as Exhibit 9**).

William J. Hagerty: 17:17-18:1; 20:10-16; 21:8-15; 22:10-26:17; 27:4-25; 29:2-31:21; 37:6-42:10.

*Hagerty v. W.R. Grace, et al.*, Cause No. 99-116-M-DMW. 01/12/00 (**Attached as Exhibit 10**).

James G. Hopkins: 11:11-15:21; 32:7-13; 59:9-60:22; 62:12-17; 63:9-16; 67:14-69:2; 79:11-81:18; 82:21-83:13; 112:20-113:18.

*Hopkins v. W.R. Grace, et al.*, Cause No. DV-99-113. 02/24/00 (**Attached as Exhibit 11**).

Jack Kenworthy: 4:24-5:20; 8:14-9:16; 10:10-24; 11:8-12:15; 13:10-18:15; 18:24-20:9; 26:13-16; 27:20-28:24.

*Kenworthy v. W.R. Grace, et al.*, Cause No. DV-99-185. 12-17-99 (**Exh. 12**)

Carl Larson: 15:3-17:18; 21:7-28:11; 35:3-40:18; 48:6-20; 49:25-58:23; 61:9-14.

*Larson v. W.R. Grace et al*, Cause No. DV-98-83, 1/12/99. (**Attached as Exhibit 13**).

John B. Lyle: 30:3-7; 34:22-38:25; 39:23-42:3; 68:12-72:6; 73:19-74:4; 75:11-77:23; 81:18-84:5; 86:22-87:12.

*Lyle v. W.R. Grace, et al.*, Cause No. DV-95-29. 02/03/98 (**Attached as Exhibit 14**).

Thomas F. Murray: 23:10-25:13; 27:9-29:15; 30:8-31:4; 34:14-36:23; 45:11-46:16; 50:1-25; 52:1-54:6.

*Murray v. W.R. Grace, et al.*, Cause No. CV-98-141-M-DWM and CV-99-103-M-DWM. 10/18/99 (**Attached as Exhibit 15**).

Robert D. Nelson: 6:18-22; 7:19-8:8; 11:23-12:17; 43:20-44:3; 45:1-10; 46:9-47:13; 49:8-50:10; 51:23-53:15; 60:17-61:11; 61:25-62:15.

*Nelson v. W.R. Grace, et al.*, Cause No. DV-98-107. 12/09/99 (**Attached as Exhibit 16**).

Darlene J. (Toni) Riley: 15:16-18; 32:9-23; 58:1-11; 59:15-60:6; 61:23-64:14; 84:23-86:24; 88:5-24.

*Riley v. W.R. Grace, et al.*, Cause No. DV-96-111. 12/10/96 (**Attached as Exhibit 17**).

Wilma R. Shearer: 20:15-25; 21:14-22:5; 23:5-13; 26:3-14; 28:12-29:18; 31:6-17; 56:10-58:3; 100:18-102:4; 102:18-103:7; 110:5-113:12; 113:24-114:11.

*Shearer v. W.R. Grace, et al.*, Cause No. DV-97-140. 02/04/98 (**Attached as Exhibit 18**).

Verle Vinson: 11:2-7; 13:24-15:22; 16:2-13; 18:12-24; 21:13-22:4; 26:12-28:24; 28:25-30:7; 32:5-18; 37:5-39:13; 45:17-46:9.

*Vinson v. W.R. Grace et al.*, Cause Nos. CV-98-113/CV-99-68, 12-15-99 (**Attached as Exhibit 19**).

Robert J. Wilkes: 14:6-18; 16:22-18:5; 20:13-15; 21:15-19; 22:3-10; 23:23-27:2; 29:20-36:2; 37:11-18; 49:13-19; 51:8-25; 55:7-56:13.

*Wilkes v. W.R. Grace, et al.*, Cause No. DV-96-60. 12/15/99 (**Attached as Exhibit 20**).

Andrew J. Wright: 6:7-25; 11:14-24:16.

*Nelson & Ryan v. W.R. Grace, et al.*, Cause No. DV-98-107 and No. DV-98-100. 12/16/99 (**Attached as Exhibit 21**).

Dr. Suresh Moolgavkar: 90:25--95:22.

*In re W.R. Grace & Co., et al, Debtors*, Case No. 01-01139(JKF), 5-26-09 (**Attached as Exhibit 22**).

John Parker, M.D.: 121:2--126:21.

*In re W.R. Grace & Co., et al, Debtors*, Case No. 01-01139(JKF), 6-9-09. (**Attached as Exhibit 23**).

Peter Van N. Lockwood: See marked designations;

*In re W.R. Grace & Co., et al, Debtors*, Case No. 01-01139(JKF), 5-1 and 5-4-09 (**Attached as Exhibit 24**).

Earl Lovick: Excerpts from transcripts of prior testimony of Earl Lovick, deceased:

- a. Earl Lovick trial testimony, August 23, 1990, *Johnson v. Grace*, U. S. District Court, for the District of Montana, Cause No. 88-145-M-HP; p. 39, l. 7 - p. 40, l. 24; p. 42, l. 8 - 16; p. 43, l. 4 - p. 48, l. 4; p. 48, l. 19 - p. 68, l. 1; p. 70, l. 18 - p. 94, l. 7; p. 95, l. 3 - p. 97, l. 15 (**Attached as Exhibit 25**).
- b. Earl Lovick deposition, December 19, 1996, *Hurlbert, Skramstad, Kaeding, Riley v. Grace*, Montana Nineteenth Judicial District Court, Lincoln County, Montana, Cause Nos. DV95-109, DV-95..127, DV-96-71, DV-96-1 11. Entire deposition; pp 1 -287 (**Attached as Exhibit 26**).
- c. Earl Lovick trial testimony, April 29, 1997, *Dan Schnetter v. Grace*, Nineteenth Judicial District Court, Lincoln County, Montana, Cause No. CDV-94-74, including exhibits; p. 25 – 222 (**Attached as Exhibit 27**).

Estimation Trial Transcript:

- a. January 14, 2008 – pp. 15-16, 27, 37-51, 94, 104, 107, 113-20, 127-28, 131-32, 138-40. March 31, 2008 – pp. 10-13, 25, 35.
- b. March 24, 2008, testimony of Dr. Peter Lees at pp. 11-79.
- c. March 26, 2008, testimony of Dr. Elizabeth Anderson at pp. 33-41, 48- 114.

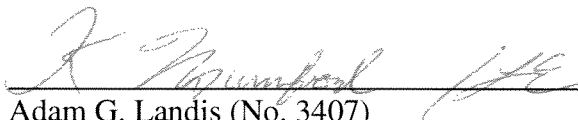
Criminal Trial Excerpt:

February 23, 2009, United States v. W. R. Grace Company et al., Cause No. CR 05—7-M-DWM, U. S. District Court for the District of Montana (Missoula Division), pp. 112-113.

The Libby Claimants reserve the right to supplement these designations following receipt of any Counter-Designations. The Libby Claimants further reserve the right to use any part of the Deposition Transcript, even if it is not designated, for the purpose of contradicting or impeaching testimony given by the deponent as a witness.

Dated: August 14, 2009  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

A handwritten signature in dark ink, appearing to read "A. Landis", is written over a horizontal line.

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